

MAY 29 2007

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FROM: Stephanie A. Yonker DATE: May 29, 2007

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|----------------------------------|----|--|
| Number of pages with cover page: | 16 |  |
|----------------------------------|----|--|

Preparer of this slip has confirmed that facsimile number given is correct: 7230/dar9

Comments:

Official Filing

Examiner: E. Le

Art Unit: 1648

U.S. Patent Application Serial No.: 09/802,686

Filing Date: March 9, 2001

Inventor(s): Gary VAN NEST

Title: METHODS OF PREVENTING AND TREATING RESPIRATORY VIRAL  
INFECTON USING IMMUNOMODULATORY POLYNucleOTIDE SEQUENCES

Docket No.: 377882000900

Papers enclosed herewith:

1. Transmittal (1 page)
2. Fee Transmittal + duplicate copy for fee processing (2 pages)
3. Petition for Extension of Time (1 page)
4. Amendment In Response to Non-Final Office Action (11 pages)

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PTO/SB/21 (04-07)

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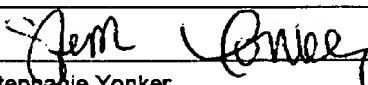
(to be used for all correspondence after initial filing)

|  |               |
|--|---------------|
| Application Number                       | 09/802,686    |
| Filing Date                              | March 9, 2001 |
| First Named Inventor                     | Gary VAN NEST |
| Art Unit                                 | 1648          |
| Examiner Name                            | E. Le         |
| Total Number of Pages in This Submission | 15            |
| Attorney Docket Number                   | 377882000900  |

## ENCLOSURES (Check all that apply)

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form + duplicate copy for fee processing (2 pages) | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to TC                                       |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                |
| <input checked="" type="checkbox"/> Amendment/Reply (11 pages)   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)            |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request (1 page)                                 | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Fax Cover Sheet |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
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| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application                                 | <input type="checkbox"/> Remarks  |  |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53                              |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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|--------------|---|----------|--------|
| Firm Name    | MORRISON & FOERSTER LLP (Customer No. 25226)  |          |        |
| Signature    |  |          |        |
| Printed name | Stephanie Yonker  |          |        |
| Date         | May 29, 2007  | Reg. No. | 58,528 |

I hereby certify that this paper is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: May 29, 2007

Signature:  (Stephanie Yonker)

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MAY 29 2007

PTO/SB/17 (05-07)

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| <b>Effective on 12/08/2004.</b><br><b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> |  | <b>Complete If Known</b> |                     |              |
| <b>FEE TRANSMITTAL</b>  |  | Application Number       | 09/802,686          |              |
| <b>For FY 2007</b>  |  | Filing Date              | March 9, 2001       |              |
|   |  | First Named Inventor     | Gary VAN NEST       |              |
|   |  | Examiner Name            | E. Le               |              |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27                         |  | Art Unit                 | 1648                |              |
| <b>TOTAL AMOUNT OF PAYMENT</b>  |  | <b>(\$)</b> <b>60.00</b> | Attorney Docket No. | 377882000900 |

**METHOD OF PAYMENT** (check all that apply)

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| <input checked="" type="checkbox"/> Deposit Account: <u>03-1952</u> Deposit Account Name: <u>Morrison &amp; Foerster LLP</u> |                                      |   |                               |   |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)                       |                                      |   |                               |   |
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| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17       |                                      | <input checked="" type="checkbox"/> Credit any overpayments                       |                               |   |

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <b>Application Type</b> | <b>FILING FEES</b> |                     | <b>SEARCH FEES</b> |                     | <b>EXAMINATION FEES</b> |                     |                       |
|-------------------------|--------------------|---------------------|--------------------|---------------------|-------------------------|---------------------|-----------------------|
|                         | <b>Fee (\$)</b>    | <b>Small Entity</b> | <b>Fee (\$)</b>    | <b>Small Entity</b> | <b>Fee (\$)</b>         | <b>Small Entity</b> | <b>Fees Paid (\$)</b> |
| Utility                 | 300                | 150                 | 500                | 250                 | 200                     | 100                 |                       |
| Design                  | 200                | 100                 | 100                | 50                  | 130                     | 65                  |                       |
| Plant                   | 200                | 100                 | 300                | 150                 | 160                     | 80                  |                       |
| Reissue                 | 300                | 150                 | 500                | 250                 | 600                     | 300                 |                       |
| Provisional             | 200                | 100                 | 0                  | 0                   | 0                       | 0                   |                       |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

|                 |                 | <b>Small Entity</b> |
|-----------------|-----------------|---------------------|
| <b>Fee (\$)</b> | <b>Fee (\$)</b> |                     |
| 50              | 25              |                     |
| 200             | 100             |                     |
| 360             | 180             |                     |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| <b>Total Claims</b>   | <b>Extra Claims</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> | <b>Multiple Dependent Claims</b>     |
|---|---------------------|-----------------|----------------------|--------------------------------------|
| 11  | - 20 = 0            | x 25            | = 0.00               | <b>Fee (\$)</b> <b>Fee Paid (\$)</b> |
| HP = highest number of total claims paid for, if greater than 20. |                     |                 |                      | 180 0.00                             |
| Indep. Claims   | Extra Claims        | Fee (\$)        | Fee Paid (\$)        |                                      |
| - 3 = 0   | x 100               | = 0.00          |                      |                                      |

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

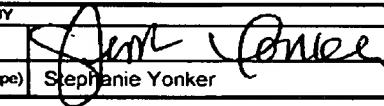
| <b>Total Sheets</b> | <b>Extra Sheets</b> | <b>Number of each additional 50 or fraction thereof</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> |
|---------------------|---------------------|---|-----------------|----------------------|
|                     | - 100 =             | /50 = (round up to a whole number) x                    |                 | =                    |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2251 Extension for response within first month

60.00

|                     |   |  |                                      |              |
|---------------------|---|--|--------------------------------------|--------------|
| <b>SUBMITTED BY</b> |   |  |                                      |              |
| Signature           |  |  | Registration No.<br>(Attorney/Agent) | 58,528       |
| Name (Print/Type)   | Stephanie Yonker  |  | Date                                 | May 29, 2007 |

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